

No. 12678

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United States  
Court of Appeals  
For the Ninth Circuit.

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FEDERAL SERVICES FINANCE CORPORA-  
TION, a Corporation,

Appellant,

vs.

BISHOP NATIONAL BANK OF HAWAII AT  
HONOLULU, a Corporation,

Appellee.

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SUPPLEMENTAL  
Transcript of Record

FILED

JULY 3 1958

Appeal from the United States District Court,  
for the Territory of Hawaii.

JULY 3 1958  
AL P. O'BRIEN

OLSON



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HONOLULU, a Corporation,

Appellee.

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SUPPLEMENTAL  
Transcript of Record

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Appeal from the United States District Court,  
for the Territory of Hawaii.



In the United States District Court  
for the District of Hawaii

Civil No. 947

FEDERAL SERVICES FINANCE CORPORA-  
TION, a Delaware Corporation,

Plaintiff,

vs.

BISHOP NATIONAL BANK OF HAWAII AT  
HONOLULU, a National Banking Association,  
Defendant.

#### MOTION FOR NEW TRIAL

Comes now the plaintiff in the above-entitled action and moves the Court to set aside and vacate the judgment of the Court in this action, and grant a new trial for the following reasons:

- (1) Errors of law occurring at the trial, and objected to by the plaintiff, more specifically:
  - (a) in the rejection of evidence offered by the plaintiff;
  - (b) in the admission of evidence objected to by the plaintiff;
  - (c) in rulings on the law applicable to the case.
- (2) Said judgment is not supported by sufficient evidence, but is contrary to the evidence.

In compliance with Rule 2 (a) (2) of the Rules of Civil Procedure for the United States District Court for the District of Hawaii, there is attached

hereto and made a part hereof Reasons and Citations of Authorities in support of this motion.

Dated: Honolulu, Hawaii, this 19th day of April, 1950.

/s/ WILLIAM W. SAUNDERS,  
Attorney for Plaintiff.

Receipt of Copy acknowledged.

[Endorsed]: Filed April 19, 1950.

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[Title of District Court and Cause.]

ORDER DENYING  
MOTION FOR NEW TRIAL

The motion for new trial filed herein April 19, 1950, came on regularly to be heard before the Court on May 19, 1950, and the Court having heard argument of counsel in support and against said motion, and the Court on said date having rendered an oral order denying the granting of said motion, it is hereby

Ordered, Adjudged and Decreed that the said motion for new trial be denied, and that this order shall take effect as of its oral rendition, May 19, 1950.

Dated: Honolulu, Hawaii, this 29 day of November, 1950.

/s/ D. E. METZGER,  
Judge of the United States  
District Court.

[Endorsed]: Filed November 29, 1950.

[Title of District Court and Cause.]

CERTIFICATE OF CLERK

United States of America,  
District of Hawaii—ss.

I, Wm. F. Thompson, Jr., Clerk of the United States District Court for the District of Hawaii, do hereby certify that the foregoing supplemental record on appeal in the above-entitled cause, consists of the following listed original pleadings:

Motion for New Trial and Reasons and Citations in Support of Motion for New Trial

Order Denying Motion for New Trial

Stipulation as to Supplemental Record on Appeal.

In Witness Whereof, I have hereunto set my hand and affixed the seal of said District Court, this 30th day of November, 1950.

/s/ WM. F. THOMPSON, JR.,

Clerk, United States District Court, District of Hawaii.

United States Court of Appeals  
for the Ninth Circuit

No. 12678

FEDERAL SERVICES FINANCE CORPORATION, a Corporation,

Appellant,

vs.

BISHOP NATIONAL BANK OF HAWAII AT  
HONOLULU, a Corporation,

Appellee.

Appeal from the United States District Court,  
for the Territory of Hawaii

STIPULATION FOR PORTIONS OF  
SUPPLEMENTAL RECORD TO BE PRINTED

It Is Hereby Stipulated by and between counsel  
for the respective parties hereto that the following  
portions of the supplemental record on appeal be  
printed:

1. Motion for New Trial.
2. Order Denying Motion for New Trial.
3. This Stipulation.

Dated: Honolulu, Hawaii, this 1st day of December, 1950.

/s/ WILLIAM W. SAUNDERS,

/s/ EDWARD Z. BUCK,

Attorneys for Appellant.

/s/ J. RUSSELL CADES,

H. BAIRD KIDWELL,

. By /s/ JAMES M. RICHARD,

Attorneys for Appellee.

[Endorsed]: Filed December 2, 1950.

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[Endorsed]: No. 12678. United States Court of Appeals for the Ninth Circuit. Federal Services Finance Corporation, a Corporation, Appellant, vs. Bishop National Bank of Hawaii at Honolulu, a Corporation, Appellee. Supplemental Record on Appeal. Appeal from the United States District Court for the Territory of Hawaii.

Filed December 2, 1950.

/s/ PAUL P. O'BRIEN,

Clerk of the United States Court of Appeals for the Ninth Circuit.

